

## **REMARKS**

**[0001]** Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-18, 20-38, 40-51, and 53-55 are presently pending. Claims amended herein are 33, 37, 45 and 51. Claims withdrawn or cancelled herein are 39, 52, 65-66, and 75-78. No new claims have been added herein.

### **Formal Request for an Interview**

**[0002]** If the Examiner's reply to this communication is anything other than allowance of all pending claims and there only issues that remain are minor or formal matters, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

**[0003]** Please contact me to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for me, I welcome your call as well. My contact information may be found on the last page of this response.

### **Claim Amendments**

**[0004]** Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 33, 37, 45 and 51 herein. Applicant amends claims to clarify claimed features. Such amendments are made to expedite prosecution and more quickly identify

allowable subject matter. Such amendments are merely intended to clarify the claimed features, and should not be construed as further limiting the claimed invention in response to the cited references.

## **Substantive Matters**

### **Claim Rejections under §103**

**[0005]** Claims 1-3, 6, 7, 9, 11-18, 20-23, 25-30, 32, 33, 37-40, 44-48, 50-55, 65, 66 and 75-78 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,075,575 to Schein in view of U.S. Patent No. 6,978,473 to Nsonwu.

**[0006]** Claims 4 and 5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schein and Nsonwu in further view of U.S. Patent No. 6,675,385 to Wang.

**[0007]** Claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Schein and Nsonwu in further view of U.S. Patent Application Publication No. 2006/0218599 to Tannenbaum.

**[0008]** Claims 10 and 34-35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schein and Nsonwu in further view of U.S. Patent No. 7,199,842 to Jackson.

**[0009]** Claim 36 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Schein and Nsonwu in further view of U.S. Patent Application Publication No. 2005/0204388 to Kundson.

[0010] Claims 24, 31, and 41-43 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schein and Nsonwu in further view of U.S. Patent No. 6,341,271 to Salvo.

[0011] Claim 49 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Schein and Nsonwu in further view of U.S. Patent Application Publication No. 2002/0144293 to Dimitrova.

[0012] In light of the amendments and arguments presented herein, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw these rejections.

## **Obviousness Rejections**

### **Lack of *Prima Facie* Case of Obviousness (MPEP § 2142)**

[0013] Applicant disagrees with the Examiner's obviousness rejections. Arguments presented herein point to various aspects of the record to demonstrate that all of the criteria set forth for making a prima facie case have not been met.

### **Independent Claim 1**

[0014] Applicant submits that the combination of Schein and Nsonwu does not teach or suggest at least the following features as recited in this claim (with emphasis added):

- “rendering **web-based content** that is related to television entertainment;”

- “an associated data element that is associated with at least a portion of the data that describes a television broadcast schedule, wherein a portion of the data that describes the television broadcast schedule that is contextually relevant in relation to the web-based content is displayed via the TV tag”

**[0015]** The Examiner indicates (Action, p. 3) the following with regard to this claim:

rendering web-based content that is related to television entertainment (see col. 2, lines 66-col. 3, lines 6);

**[0016]** Schein, col. 2, line 66 through col. 3, line 6 states:

In another embodiment, the global controller is a trigger or clutch button on the remote casing. Pressing the clutch button switches the local controller into a different mode, where the rolling cylinder and horizontal scroll buttons can be used to move between different screen areas. This dual modality allows the viewer to both navigate between different windows and scroll and select items within an individual window with the same control device.

**[0017]** Schein does not teach “rendering web-based content that is related to television entertainment” as presently claimed by independent claim 1. Upon a careful review of the cited portion of Schein, Applicant can find no reference to content, let alone web-based content that is related to television entertainment. The cited section of Schein simply teaches that a remote control can be configured to provide input that allows a viewer to “both navigate between

different windows and scroll and select items within an individual window with the same control device." (See *Id.*)

**[0018]** Further, Schein does not teach a TV tag comprising in part "an associated data element that is associated with at least a portion of the data that describes a television broadcast schedule, wherein a portion of the data that describes the television broadcast schedule that is contextually relevant in relation to the web-based content is displayed via the TV tag" as claimed presently in independent claim 1. The Examiner indicates (Action, p. 3) the following with regard to this claim element:

an associated data element that is associated with at least a portion of the data that describes a television broadcast schedule, wherein a portion of the data that describes the television broadcast schedule that is contextually relevant in relation to the web-based content is displayed via the TV (see col. 9, lines 38-58).

**[0019]** Schein, col. 9, lines 38-58 state:

A program area 126 depicts the currently tuned program and a preview window area 128 can be used for all types of promotional, descriptive, or contextual video or graphics, such as a short preview of the show that is currently being highlighted in show matrix 106. Preview window area 128 may also be interactive similar to the other areas of guide 102.

In an exemplary configuration, program area 126 displays the currently tuned program "live" so that the viewer can browse

through program matrix 106 without missing the action on the currently tuned program. This feature allows the user, for example, to keep track of the score of a football game while browsing through the program matrix or performing other interactions with the system, such as purchasing goods or services, searching for more information on a program, etc. In another configuration, the viewer may set program area 126 to change as the viewer browses through program matrix 106 so that area 126 depicts the highlighted program in the matrix. This allows the television viewer to quickly view each program without exiting from the program guide 102.

**[0020]** As can be seen from reviewing the cited section of Schein, there is no mention of “data that describes the television broadcast schedule that is contextually relevant in relation to the **web-based** content is displayed via the TV tag” as presently claimed by independent claim 1. Instead, Schein displays a preview window area that can show all types of “promotional, descriptive or contextual or graphics” associated with the selected portion of the program matrix. There is no indication that this data being shown is contextually relevant to any **web-based content**. As discussed previously, Schein does not disclose rendering any web-based content, and thus, it would be impossible for Schein to teach or suggest rendering a TV tag simultaneously with the web-based content that comprised data contextually relevant to the web-based content.

**[0021]** As shown above, the combination of Schein and Nsonwu does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

## **Dependent Claims 2-18 and 20-25**

[0022] These claims ultimately depend upon independent claim 1. As discussed above, claim 1 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

## **Independent Claim 26**

[0023] Applicant submits that the combination of Schein and Nsonwu does not teach or suggest at least the following features as recited in this claim (with emphasis added):

- “rendering **web-based content** that is related to television entertainment;”

[0024] The Examiner indicates (Action, p. 9) the following with regard to this claim:

rendering web-based content that is related to television entertainment (see col. 2, lines 66-col. 3, lines 6);

[0025] Schein, col. 2, line 66 through col. 3, line 6 states:

In another embodiment, the global controller is a trigger or clutch button on the remote casing. Pressing the clutch button switches the local controller into a different mode, where the rolling cylinder and

horizontal scroll buttons can be used to move between different screen areas. This dual modality allows the viewer to both navigate between different windows and scroll and select items within an individual window with the same control device.

**[0026]** Schein does not teach “rendering web-based content that is related to television entertainment” as presently claimed by independent claim 26. Upon a careful review of the cited portion of Schein, Applicant can find no reference to content, let alone web-based content that is related to television entertainment. The cited section of Schein simply teaches that a remote control can be configured to provide input that allows a viewer to “both navigate between different windows and scroll and select items within an individual window with the same control device.” (See *Id.*)

**[0027]** As such, the combination of Schein and Nsonwu does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

### **Dependent Claims 27-32**

**[0028]** These claims ultimately depend upon independent claim 26. As discussed above, claim 26 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.



### **Independent Claim 33**

**[0029]** Applicant submits that the combination of Schein and Nsonwu does not teach or suggest at least the following features as recited in this claim as amended (with emphasis added):

- “rendering a web-based article within a web browser application, the web-based article describing a particular television program;”

**[0030]** The Examiner indicates (Action, p. 11) the following with regard to this claim:

rendering an article that describes a particular television program (see col. 9, lines 38-44),

**[0031]** Schein, col. 9, lines 38-44 states:

A program area 126 depicts the currently tuned program and a preview window area 128 can be used for all types of promotional, descriptive, or contextual video or graphics, such as a short preview of the show that is currently being highlighted in show matrix 106. Preview window area 128 may also be interactional similar to the other areas of guide 102.

**[0032]** Schein does not teach or suggest “rendering a web-based article within a web browser application” as presently claimed by independent claim 33. Instead. Schein teaches preview windows or areas within an Electronic Program Guide (EPG) that can display information associated with a selected grid within the program matrix. There is no reference to the article being a web-based

article nor is there any indication that the EPG of Schein is a web browser application. As such, the combination of Schein and Nsonwu does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

[0033] Support for the inclusion of this subject matter can be found at least at page 24, line 6 through page 25, line 13 of the present application.

### **Dependent Claims 34-36**

[0034] These claims ultimately depend upon independent claim 33. As discussed above, claim 33 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

### **Independent Claim 37**

[0035] Applicant submits that the combination of Schein and Nsonwu does not teach or suggest at least the following features as recited in this claim as amended (with emphasis added):

- “wherein the transmitting comprises:”
- “determining whether the particular movie is scheduled for television broadcast; and”
- “in an event that the particular movie is not scheduled for television broadcast, transmitting personalization data that indicates that the personalized version of the television broadcast schedule is to include

data describing scheduled broadcasts of the particular movie at a later date when the movie is scheduled for television broadcast."

**[0036]** The Examiner indicates (Action, p. 14, in rejecting dependent claim 39)) the following with regard to this claim:

Regarding **claim 39**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 37*). Schein et al. discloses the method wherein the transmitting comprises:

determining whether the particular movie (legend of the fall) is scheduled for television broadcast (see fig 4B, legend of the fall, 8:00 pm); and

in an event that the particular movie is not scheduled for television broadcast, transmitting personalization data that indicates that the personalized version of the television broadcast schedule is to include data describing scheduled broadcasts of the particular movie at a later date when the movie is scheduled for television broadcast (see fig 10A, col. 13, lines 4-13).

**[0037]** Schein, col. 13, lines 4-13 states:

FIGS. 10A-10D illustrate a method for utilizing television schedule system to create a program reminder. Similar to the "favorites" method discussed above, an Item's InfoMenu 130 is opened and the viewer scrolls down to item (5) "Reminding when the program airs" and selects this item by clicking cylinder 24. A reminder submenu 160 is then activated to provide the viewer with various items for the times and number of reminders, as shown in 10B. This reminder

submenu 160 can vary depending on the program's type or scheduling configuration.

**[0038]** As can be seen from looking at Figure 10A and the cited section of Schein, Schein does not teach “in an event that the particular movie is not scheduled for television broadcast, transmitting personalization data that indicates that the personalized version of the television broadcast schedule is to include data describing scheduled broadcasts of the particular movie at a later date when the movie is scheduled for television broadcast” as presently claimed by independent claim 37. Instead, Schein teaches that a viewer can setup a reminder for a scheduled/selected movie. There is no indication that if the program is not scheduled for TV broadcast, that the personalized data is to include data describing scheduled broadcasts of the particular movie at a later date. Schein simply provides a notification to the user as to when the program is to air.

**[0039]** As such, the combination of Schein and Nsonwu does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

### **Dependent Claims 38 and 40-44**

**[0040]** These claims ultimately depend upon independent claim 37. As discussed above, claim 37 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

## **Independent Claim 45**

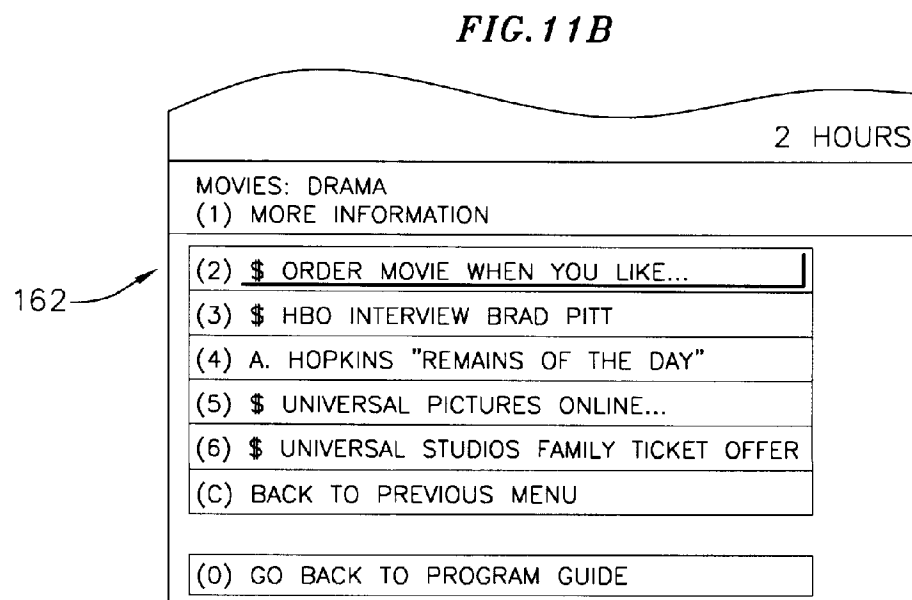
[0041] Applicant submits that the combination of Schein and Nsonwu does not teach or suggest at least the following features as recited in this claim as amended (with emphasis added):

- “rendering web-based biographies and news articles within a web browser application associated with a particular person;”

[0042] The Examiner indicates (Action, p. 15) the following with regard to this claim:

rendering an article that describes a particular person (see fig 11B), and

[0043] Schein, Figure 11B:



[0044] Schein does not teach or suggest “rendering web-based biographies and news articles within a web browser application” as presently claimed by independent claim 45. Instead. Schein teaches a drop down menu in an EPG for

the ordering of videos on demand. There is no reference to the biographies and news articles being web-based nor is there any indication that the EPG of Schein is a web browser application. As such, the combination of Schein and Nsonwu does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

**[0045]** Support for the inclusion of this subject matter can be found at least at page 24, line 6 through page 25, line 13 of the present application.

### **Dependent Claims 46-50**

**[0046]** These claims ultimately depend upon independent claim 45. As discussed above, claim 45 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

### **Independent Claim 51**

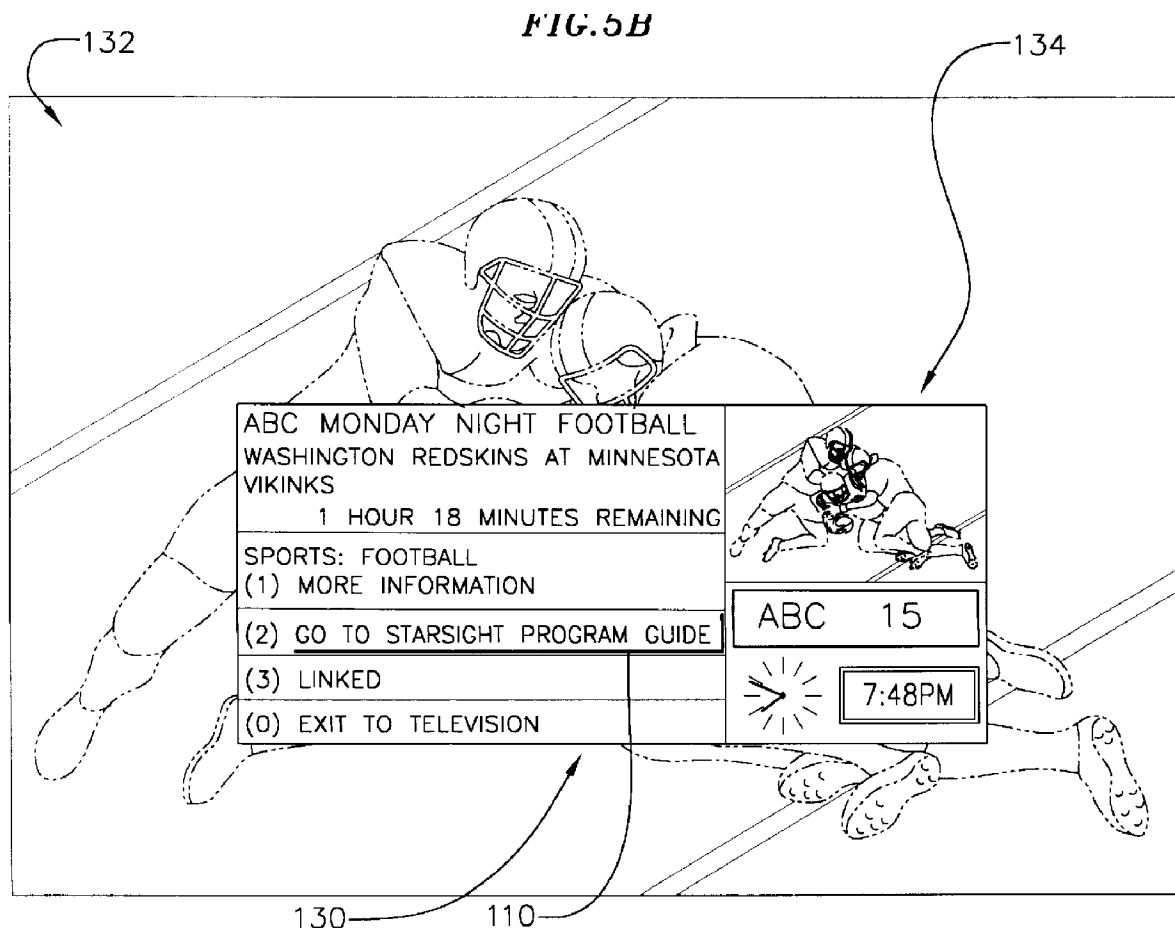
**[0047]** Applicant submits that the combination of Schein and Nsonwu does not teach or suggest at least the following features as recited in this claim as amended (with emphasis added):

- “rendering a web-based article within a web browser application,  
wherein the web-based article is associated with a particular sport;”

**[0048]** The Examiner indicates (Action, p. 18) the following with regard to this claim:

rendering an article that describes a particular sport (see fig 5B), and

[0049] Schein, fig 5B shows:



[0050] Schein does not teach or suggest “rendering a web-based article within a web browser application, wherein the web-based article is associated with a particular sport” as presently claimed by independent claim 51. Instead, Schein teaches a menu in an EPG for outlining several options. There is no reference to a web-based article nor is there any indication that the EPG of Schein is a web browser application. As such, the combination of Schein and Nsonwu does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

**[0051]** Support for the inclusion of this subject matter can be found at least at page 24, line 6 through page 25, line 13 of the present application.

**Dependent Claims 52-55**

**[0052]** These claims ultimately depend upon independent claim 51. As discussed above, claim 51 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.



## **Conclusion**

[0053] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call or email me at your convenience.

Respectfully Submitted,

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